

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KHALID ALI,

Plaintiff,

Case No. 2:25-cv-10815

v.

IT PEOPLE CORPORATION, INC.,

Honorable Susan K. DeClercq
United States District Judge

Defendant.

/

**ORDER DENYING AS MOOT DEFENDANT'S MOTION TO DISMISS
(ECF No. 4)**

In February 2025, Plaintiff Khalid Ali sued Defendant IT People Corporation, Inc. in Wayne County Circuit Court. *See* ECF No. 1 at PageID.11–18. On March 24, 2025, Defendant removed the case to federal court, *see* ECF No. 1, and then filed a motion to dismiss Plaintiff's Complaint under Civil Rule 12(b)(6), *see* ECF No. 4.

On April 4, 2025, Plaintiff utilized the *pro se* e-filing system to upload an “answer,” that was really a “First Amended Complaint.” ECF No. 6 at PageID.79. Indeed, the Civil Rules authorize the filing of an amended complaint “21 days after service of a motion under Rule 12(b), (e), or (f).” FED. R. CIV. P. 15(a)(1)(B).

Thus, because Plaintiff filed an amended complaint, ECF No. 6, Defendant's motion to dismiss, ECF No. 4, will be denied as moot because it addresses Plaintiff's original complaint, which is no longer the operative complaint. If Defendant wishes

to assert the same arguments in a motion to dismiss Plaintiff's *amended* complaint, it may do so in a new motion.

Accordingly, it is **ORDERED** that Defendant's Motion to Dismiss Plaintiff's Complaint, ECF No. 4, is **DENIED AS MOOT**.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: April 10, 2025